

Section 45

CASINO OVERLAY DISTRICT

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45.010 Intent.

The intent of the Casino Overlay District is to provide suitable locations for casinos (as defined in section 4.350) based on review for impacts to neighboring uses and to minimize adverse effects on the community in the best interests of the public health, safety, and welfare.

45.020 Application for zoning designation.

Any person wishing to establish a casino must make application as per Section 55, Text Amendments and Rezoning Changes, for a Casino Overlay District.

45.030 Permitted uses.

Permitted uses in the Casino Overlay District are as follows:

A. Principal uses.

All principal uses permitted in the M-1 district if the underlying zoning is M-1
All principal uses permitted in the M-2 district if the underlying zoning is M-2

B. Conditional uses.

Casinos

All conditional uses permitted in the M-1 district if the underlying zoning is M-1
All conditional uses permitted in the M-2 district if the underlying zoning is M-2

C. Accessory uses.

All accessory uses permitted in the M-1 district if the underlying zoning is M-1
All accessory uses permitted in the M-2 district if the underlying zoning is M-2

45.040 Restrictions.

A. Casino Overlay Districts shall be permissible zoning only in areas previously zoned M-1, Light Manufacturing District, or M-2, Manufacturing and Industrial District.

B. Casino Overlay Districts shall not be located within an Entryway Overlay District except for the I-90 entryway overlay corridor. Casino Overlay Districts shall not be located in areas where the I-90 entryway corridor overlaps other Entryway Overlay Districts.

C. Casino Overlay District lots shall not be located within six hundred (600) feet, in any direction, of lots used for schools, churches, residences, public parks, or other casinos.

D. Sale for on-premise consumption of beer, wine and liquor is permissible only for casino and restaurant establishments.

45.050 Lot area and width.

There shall be no minimum lot area; however, no lot width shall be less than one hundred feet (100') and the lot area shall be sufficient to provide all required yard areas and off-street parking.

45.060 Lot coverage.

The entire lot, exclusive of required yards and parking, may be occupied by the principal and accessory buildings.

45.070 Yards.

Every lot within a Casino Overlay District shall have the following minimum yards:

Front yard	25 feet
Rear yard	10 feet
Side yards	8 feet each side.

(Note: All yards shall be subject to the provisions of section 43.060 and subsection 50.060.D when applicable.)

45.080 Building height.

Maximum building height in a Casino Overlay District shall be thirty-eight feet (38') for buildings with roof pitches of 3:12 or greater and thirty-two feet (32') for buildings with flat roofs or with roof pitches of less than 3:12.